

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

DOMINGO RAMOS,

Defendant.

16-CR-826-04 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the attached letter from defendant Domingo Ramos, who is presently incarcerated at the MCC. Mr. Ramos's letter addresses the events that led to his plea and sentencing; expresses dismay that he has not been transferred to a long-term Bureau of Prisons facility, which has resulted in his exposure to the coronavirus while at the MCC; and seeks a sentence reduction. The Court directs Mr. Ramos's attorney, Patrick Joyce, to respond to this letter by the close of business Wednesday, June 3, 2020, including by making any legal arguments on behalf of Mr. Ramos to the extent counsel determines he has a colorable application for relief. The Court directs the Government to respond by Monday, June 8, 2020, including by explaining why Mr. Ramos has not been transferred to a longterm BOP facility and by giving a date certain for that transfer

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: June 2, 2020
New York, New York

wed May 20, 2020

Domingo Ramos (Reg # 78693-054)
New York MCC
150 Park Row
New York, NY 10007

To: Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007.

Honorable Judge Engelmayer,

I hope that you, as well as your loved ones, are healthy and well. I understand that you must be very busy with what the world is going through right now, so I will do my best to keep this letter brief.

Your honor, my name is Domingo Ramos (#78693-054), you sentenced me on 12/4/2019 to 120 months. First, I want to apologize, and I am ashamed, for throwing a small tantrum during that session, and for saying that I wanted to file for "ineffective counseling", to which you replied, and I quote, "I find that laughable". Your honor, I don't want to sound ungrateful to my attorney, Mr. Patrick Joyce, and for what he has done for me, but I feel he could have done a bit more to help you better understand what I went through before sentencing.

①

Briefly, when I first met Mr. Joyce during his appointment court session in Dec 2017, I made him aware that I already have admitted guilt during a proper meeting in July 2017. I also told him that, during my last proper meeting on Aug 3rd, 2017, I admitted to having a cellphone so I can call my 12 years old son at night, to make sure he stays home. He was hurt a lot for losing me and attempted to run away. (You asked me to thank him because his letter has touched you, which I did, and because of which you gave me a lighter sentence). I immediately surrendered the phone, and I was moved to the SHU the next day. I was questioned by SIS, I told them everything I know including which officer brought the phone in (which got leaked out to other inmates). That's, also, when someone called my prosecutor and claimed that I said she gave me permission to have phone, which was not true, I never said or even hinted to such thing. As a result I was moved to GEO for protection, but was cancelled shortly after.

your honor, for 28 months, the time between confession and sentencing, I lived in fear. I have been a target since ~~the~~ separation was put in place (which I asked not to), I was in and out of the SHU for protection for I was labeled a "snitch". I did cooperate with the government from day one, and provided information used to add superseding charges against us and to enhance my charges. Lastly, I wasn't offered a guilty plea until two days before the trial set date, ~~and~~ after all my codefendants took their pleas (except for Palenco who went to trial and I wasn't needed for.)

Mr. Joyce was supposed to summarize all this in a sealed letter, but he chose not to without giving a convincing reason. I did not

U.S. Department of Justice

want to publicly mention all that during sentencing for fear of getting hurt, or even killed, in this or in another prison. He also did not challenge few points in my PSR. For example, I did not a "Yonkers DTO" as the report states, there is no proof nor evidence of sales of drugs recorded in Yonkers. Second, I did not employ more than 2 people, and I sold packaged drugs to my codefendant (Ruiz x Gonzales), but I never worked for them. Lastly, I had nothing to do with anyone ~~who~~ doing robberies, nothing what so ever. Mr Joyce didn't challenge any of that. He didn't even answer multiple letters from DEA to return confiscated properties (see attached DEA Letter).

Your honor, this is why I acted the way I did during sentencing. It's still not an excuse for my behavior. I deeply apologize again. I was frustrated, angry and scared all at once. I admitted to selling drugs on and off from 2013 when I needed money to cover the cost of bringing my son from the Dominican Republic. He had just turned 18, and I wanted to give him better opportunities than I had.

What I did was wrong, I can't deny that. I am very ashamed for setting such a bad example for my kids. I ask ~~for~~ for forgiveness everyday for selling that poison to people.

I took responsibility for my actions as a man, I cleared the names of few innocents, including my long time girlfriend (who's still with me to this day), and the mother of my twins.

Lastly your honor, it has been five months since I got sentenced, and the BOP has failed to transfer me to my assigned spot in a timely manner. As a result, I am still enduring the harsh conditions at MCC, only made worse with

the corona virus pandemic. on top of that, just before we got quarantined, we were in 24/7 lockdown for 2 weeks when SORT raided our Unit and cells in search for firearm and other contrabands. We went without shower for days, fed packaged ~~st~~ salty food (peanut butter & chicken bologna) everyday. Medical care is almost non-existent, I've been asking for eye-glasses for years with no response. I also need X-Ray on my hand since I've got hit on it multiple times with socks filled with metal rocks.

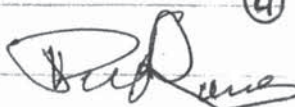
As for Corona virus, no test has been done, and quarantine rules are ~~more~~ broken more often than not rendering it practically ineffective and exposing inmates and staff to risk.

Your honor, Can you please help me? Can you please reduce my sentence by just 2 years? No one has ever helped me in my life and I don't want my kids to have the same experience. I don't want to lie to them when I tell them that I am doing everything I can to be back to them as soon as possible, hence this letter. I live with the killing feeling of guilt of abandoning them every moment.

Please help me your honor, I know it must be hard to hear the pleas of so many people and to have to press judgments on them, it must be such a taxing burden.

please forgive me for asking this of you, I understand if you don't think I deserve a reduction, but if you do, be sure that I will not let you or my family down.

I apologize if I took much of your valuable time, and I thank you for it.

Sincerely,
Domingo Romeo  (4)



U. S. Department of Justice
Drug Enforcement Administration
Westchester Resident Office
140 Grand St. Suite 207
White Plains, NY 10601

May 6, 2020

www.dea.gov

Domingo Ramos R# 678693-054
C/O New York MCC
150 Park Row
New York NY 10007

Reference: BD-16-0003 N-15 & 16
Property: Personal Papers
Seized on: February 7, 2017
Placed Seized: Bronx NY

Dear Domingo Ramos

The above described property is currently in the possession of the Drug Enforcement Administration, pursuant to 41 C.F.R. Sec. 128-50.001-1. If not properly claimed, this property will be deemed abandoned and title to the property will vest in the United States Government.

As authorized by 41 C.F.R. Sec. 128-48.102-1 (b), the owner of this property, or his designee, may file a claim within thirty (30) days from the date this letter is postmarked, to regain possession of this property. If the property is not claimed within (30) days from the date this letter is postmarked, title to the property shall vest in the United States Government. The claim must conform to the authorities cited in 41 C.F.R. 128-48.502. Claims must include a description of the property and the case number listed above. If your claim is granted, you will be required to complete a Secured Party Indemnity Agreement (DEA-292) at the time of release.

Send all claims to the:
United States Department of Justice, Drug Enforcement Administration,
140 Grand Street, Suite 207,
White Plains, New York 10601,

Mr Ramos,

*See your Honor He never even
Answers me back*

Numerous attempts have been made to return these items to you through your attorney to no avail. I believe these items can be sent to you at MCC. Please sign the attached form and mail it back asap, and I will make every attempt to mail them to you. If you want them sent somewhere else, just furnish the information by printing it on the back of the form that your signing.

Sincerely,

Andrew Butorac
GS D-42